

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff;

v.

COMMONWEALTH OF PUERTO RICO,
ET AL.,

Defendants.

No. 12-cv-2039 (GAG)

**MOTION FOR A STAY OF THE JANUARY 14, 2019, DEADLINE FOR
INFORMATION ON THE SPECIAL MASTER IN LIGHT OF
LAPSE OF APPROPRIATIONS**

COMES NOW, Plaintiff, the United States of America, and respectfully moves for a stay of the January 14, 2019, deadline to submit proposed subjects and a budget for the recently-appointed special master, pursuant to the Court's December 10, 2018, Order. Doc. 1048. For cause, the United States alleges and states:

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The same is true for most several other Executive agencies. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees are prohibited from working, even on a voluntary basis, except in very limited circumstances, including "emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of the Court's Order requiring the Parties to submit three proposed subjects and a budget for the newly-

appointed special master by January 14, 2019. Order, Doc. 1048 (Dec. 10, 2018). The Parties held an initial conference call with the special master on December 20, 2018, just prior to the lapse in funding, to discuss the appointment and information requested by the Court. Further discussions are necessary to reach agreement on the proposed subjects and budget for the special master. Accordingly, the United States respectfully requests a stay of the January 14, 2019, deadline until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The United States requests that, at that point, all current deadlines for the Parties be extended commensurate with the duration of the lapse in appropriations.

5. Opposing counsel has authorized counsel for the United States to state that Defendants have no objection to this motion.

Therefore, although we greatly regret any disruption caused to the Court, the Parties, and the special master, the United States hereby moves for a stay of the January 14, 2019, deadline in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Respectfully submitted, this 26th day of December, 2018,

STEVEN H. ROSENBAUM
Chief, Special Litigation Section
Civil Rights Division

s/Luis E. Saucedo

TIMOTHY D. MYGATT
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 26th of December, 2018, I filed the foregoing pleading electronically through the CM/ECF system, which caused the parties, counsel of record and the Monitor on the service list to be served by electronic means.

s/Luis E. Saucedo
LUIS E. SAUCEDO
Counselor to the Chief
U.S. Department of Justice
Civil Rights Division
Special Litigation Section